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7 Attorneys for Plaintiff,
CYNTHIA MCMAHON

8
9 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

10
11 CYNTHIA MCMAHON, on behalf of
herself, and all others similarly situated, and
12 the general public,

13 *Plaintiff,*

14 v.

15 TUESDAY MORNING, INC., a Texas
16 corporation;, and DOES 1-100, inclusive,

17 *Defendants.*
18

Case No. 3:15-cv-03272-HSG

**REQUEST FOR DISMISSAL WITHOUT
PREJUDICE PURSUANT TO F.R.C.P.
41(a)(1)**

Action Filed: July 14, 2015
Judge: Hon. Haywood S. Gilliam

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20 **TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

21 Plaintiff Cynthia McMahon hereby requests the following relief:

22 (1) That this case be dismissed without prejudice, pursuant to FRCP 41(a)(1).

23 Dismissal without prejudice under FRCP(a)(1) is proper because the opposing party has
24 not served an answer or a motion for summary judgment.

25
26 DATED: October 8, 2015

SETAREH LAW GROUP

27 By: /s/ Shaun Setareh
Shaun Setareh
Attorneys for Plaintiff
CYNTHIA MCMAHON
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